IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO. 161 OF 2004

M/s.Progressive Civil Construction
Co.Pvt. Ltd. .. Plaintiff

versus

M/s.Landmark Asia & ors. .. Defendants

...

Mr.D.H. Mehta with Mr.K.R. Belosay for the plaintiff.

Mr.Uday Bobde with Mr.D. D'Melloo for the defendant nos.1, 2,3 and 5.

CORAM : D.G. KARNIK,J.

DATED : 28th April 2005.

P.C.:

1. The learned counsel for the plaintiff seeks leave to withdraw the suit against defendant no.4. Suit against defendant no.4 dismissed for non prosecution..

2. The learned counsel for the plaintiff and defendant nos.1, 2, 3 and 5 hand in "Minutes of the

order. The minutes are signed by Mr.V.N.Sawant for the plaintiff. He hands in copy of the resolution of the Board of the plaintiff Company passed in Board meeting on 23rd April 2005 authorising him to sign the minutes. Copy of the resolution is taken on record and marked Exhibit"A". Minutes are also signed by Mr. Madanlal Sharma for self i.e. defendant no.2 and as a partner of defendant no.1. The Minutes are also signed by defendant nos.3 and 5. All the signatories are personally present in the Court and are identified by their respective Advocates. They admit the minutes. Minutes are taken on record and marked Exhibit"B". Minutes are also signed by the learned Advocates for the plaintiff and defendant nos.1,2, 3 and 5.

3. There shall be order in terms of the minutes. Issue Court fee refund as per rules.

D.G. KARNIK, J